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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,825	12/19/2001	Jorge Adrian Kittl	TI-23892	8239
23494	7590	03/05/2004	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED			KOBERT, RUSSELL MARC	
P O BOX 655474, M/S 3999			ART UNIT	
DALLAS, TX 75265			PAPER NUMBER	

2829

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 2829

1. The amendment filed on January 20, 2003 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because they are drawn to a non-elected species.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

2. The general policy of the Office is not to permit the applicant to shift to claiming another Invention and/or species after an election is once made and action given on the elected subject matter. Note that the applicant cannot, as a matter of right, file a request for continued examination (RCE) to obtain continued examination on the basis of claims that are independent and distinct or drawn to a different species from the claims previously claimed and examined (i.e., applicant cannot switch inventions and/or species by way of an RCE as a matter of right). When claims are presented which the examiner holds are drawn to an invention and/or species other than the one elected, he or she should treat the claims as outlined in MPEP § 821.03.

Art Unit: 2829

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell Kobert whose telephone number is (571) 272-1963.

The Examiner's Supervisor, Kammie Cuneo, can be reached at (571) 272-1957.

For an automated menu of Tech Center 2800 phone numbers call (571) 272-2800.



Russell M. Kobert
Patent Examiner
Group Art Unit 2829
February 26, 2004

Handwritten:
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3/3/3